

In re:
Westborough SPE LLC
Debtor

Case No. 23-40709-cjp
Chapter 7

District/off: 0101-4
Date Rcvd: Oct 12, 2023

User: admin
Form ID: pdf012

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol **Definition**

++ Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 14, 2023:

Recip ID	Recipient Name and Address
intp	LOLONYON AKOUETE, ATTN WESTBOROUGH SPE LLC, 800 RED MILLS RD, WALLKILL NY 12589-3220 address filed with court:, Lolonyon Akouete, Manager of Westborough, SPE, LLC, 1241 Deer Park Ave, Suite 1 #1051, North Babylon, NY 11703

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
intp	Email/Text: info@smartinvestorsllc.com	Oct 13 2023 02:35:00	Lolonyon Akouete, Manager of Westborough, SPE, LLC, 1241 Deer Park Ave, Suite 1 #1051, North Babylon, NY 11703

TOTAL: 1

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 14, 2023

Signature: _____

/s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 12, 2023 at the address(es) listed below:

Name	Email Address
Brian W. Riley	on behalf of Creditor Town of Westborough briley@k-plaw.com
Jeffrey T Blake	on behalf of Creditor Town of Westborough jblake@k-plaw.com
Jonathan R. Goldsmith	trusteedocs1@gkalawfirm.com trusteedocs@gkalawfirm.com;kstelmashova@gkalawfirm.com;MA43@ecfcbis.com;mwolohan@gkalawfirm.com

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User: admin

Page 2 of 2

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Paul W. Carey

on behalf of Creditor Ferris Development Group LLC pcarey@mirickoconnell.com, bankrupt@mirickoconnell.com

Richard King

USTPRegion01.WO.ECF@USDOJ.GOV

Roger L. Smerage

on behalf of Creditor Town of Westborough rsmerage@k-plaw.com

Scott Adam Schlager

on behalf of Petitioning Creditor Nathanson & Goldberg P.C. sas@natgolaw.com

Stephen F. Gordon

on behalf of Petitioning Creditor Nathanson & Goldberg P.C. sgordon@gordonfirm.com,
vhaggerty@gordonfirm.com;notices@gordonfirm.com;stephenfgordon@gmail.com

TOTAL: 8

DENIED AS UNNECESSARY. THE ORDER FOR RELIEF HAS ENTERED IN THIS CASE, SEE DKT. NO. 26, AND A
CHAPTER 7 TRUSTEE HAS BEEN APPOINTED.


Dated: 10/12/2023

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

WORCESTER, ss.

In re:) Involuntary Chapter 7
WESTBOROUGH SPE LLC,) Case No. 23-40709-CJP
Debtor.)

)

MOTION TO APPOINT INTERIM TRUSTEE

TO THE HONORABLE JUDGE CHRISTOPHER J. PANOS, AND TO THE PARTIES IN INTEREST:

I, Lolonyon Akouete, the manager of the debtor, Westborough SPE LLC ("Debtor"), hereby submit this Motion to Appoint an Interim Trustee in the above-referenced involuntary Chapter 7 bankruptcy case, pursuant to Section 1104 of the U.S. Bankruptcy Code.

I. BACKGROUND

1. On August 31, 2023, a petition under Title 11 of the United States Code was filed against Westborough SPE LLC, seeking an order for relief under chapter 7 of the Bankruptcy Code.

II. LEGAL BASIS

Section 1104 of the U.S. Bankruptcy Code authorizes the appointment of a trustee for cause, including preventing unreasonable delay or gross mismanagement of the estate. Section 303(g) permits the court to appoint an interim trustee under Section 701 of the U.S. Bankruptcy Code in an involuntary Chapter 7 case.

III. JUSTIFICATION

In the interest of preserving the bankruptcy estate and preventing further deterioration, Westborough SPE LLC requests the appointment of an interim trustee due to the following:

1. Preservation of Estate Property:

- The Debtor's assets include \$1,293,646.83 in unclaimed funds held by the State of California and a real property at 231 Turnpike Road, subject to a tax-title taking proceeding.

2. Deteriorating Property Condition:

- The property at 231 Turnpike Road has suffered damage from vandalism and neglect, posing safety concerns (See Exhibit 1: Photograph of the Damages and Vandalism).

3. Escalating Property Costs:

- Property taxes, interest, expenses, and costs of taking for 231 Turnpike Road have increased substantially from \$119,628.17 in December 2018 to \$918,314.60 as of May 16, 2023 (See Exhibit 2).

4. Unclaimed Funds:

- The State of California reported \$1,293,646.83 in unclaimed funds as of June 15, 2022, which are not accruing interest.